

Effective 5/13/2014

76-6-1403 Records of sales and purchases -- Identification required.

- (1) Every dealer shall:
 - (a) require the information under Subsection (2) for each transaction of regulated metal, except under Subsection 76-6-1406(4); and
 - (b) maintain for each purchase of regulated metal the information required by this part in a written or electronic log, in the English language.
- (2) The dealer shall require the following information of the seller and shall record the information as required under Subsection (1) for each purchase of regulated metal:
 - (a) a complete description of the regulated metal, including weight and metallic description, in accordance with scrap metal recycling industry standards;
 - (b) the full name and residence of each person selling the regulated metal;
 - (c) the vehicle type and license plate number, if applicable, of the vehicle transporting the regulated metal to the dealer;
 - (d) the price per pound and the amount paid for each type of regulated metal purchased by the dealer;
 - (e) the date, time, and place of the purchase;
 - (f) the type and the identifying number of the identification provided in Subsection (2)(g);
 - (g) a form of identification that is a valid United States federal or state-issued photo ID, which includes a driver license, a United States passport, a United States passport card, or a United States military identification card;
 - (h) the seller's signature on a certificate stating that he has the legal right to sell the scrap metal or junk; and
 - (i) a digital photograph or still video of the seller, taken at the time of the sale, or a clearly legible photocopy of the seller's identification.
- (3) No entry in the log may be erased, deleted, mutilated, or changed.
- (4) The log and entries shall be open to inspection by the following officials having jurisdiction over the area in which the dealer does business during regular business hours:
 - (a) the county sheriff or deputies;
 - (b) any law enforcement agency; and
 - (c) any constable or other state, municipal, or county official in the county in which the dealer does business.
- (5) A dealer shall make these records available for inspection by any law enforcement agency, upon request, at the dealer's place of business during the dealer's regular business hours.
- (6) Log entries made under this section shall be maintained for not less than three years from date of entry.
- (7)
 - (a) The dealer may maintain the information required by Subsection (2) for repeat sellers who use the same vehicle to bring regulated metal for each transaction in a relational database that allows the dealer to enter an initial record of the seller's information and then relate subsequent transaction records to that initial information, except under Subsection (7)(b).
 - (b) The dealer shall obtain regarding each transaction with repeat sellers:
 - (i) a photograph of the seller; and
 - (ii) a signature from the seller.

Amended by Chapter 261, 2014 General Session